

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants: Vaikko P. Allen II et al.
Serial No.: 10/664,376
Filed: September 17, 2003
For: APPARATUS FOR SEPARATING FLOATING AND NON-FLOATING
PARTICULATE FROM A FLUID STREAM
Examiner: Fred G. Prince
Art Unit: 1724
Docket No. VOR-002 Paper No. 6

PETITION TO WITHDRAW APPLICATION FROM ISSUANCE
PURSUANT TO 37 C.F.R. § 1.313(c)(2)

Mail Stop Petitions
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a request pursuant to 37 C.F.R. § 1.313 to withdraw the above-referenced application from issuance. The issue fee was previously paid with a filing made November 4, 2004. The Applicants are submitting herewith a Request for Continued Examination and an Information Disclosure Statement. The Information Disclosure Statement includes additional references recently obtained by the Applicants. The additional references were not available to the Applicants for consideration prior to the date of payment of the issue fee. The Applicants hereby file this petition to withdraw the application from issuance in order to permit the examiner to consider the additional references.

Thank you for your attention to this matter.

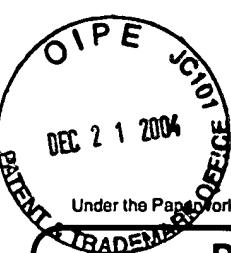
Respectfully submitted,

Chris A. Caseiro, Reg. No. 34,304
Attorney for Applicants
Verrill Dana, LLP
One Portland Square
Portland, ME 04112-0586
Tel. No. 207-253-4530

Certificate of Mailing By Express Mail

I hereby certify that this correspondence is being transmitted to Mail Stop Petitions, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on December 21, 2004, in an envelope deposited with the United States Postal Service using the Express Mail service pursuant to 37 C.F.R. § 1.10(a), Express Mail label no. ED 279 272 414 US.

Chris A. Caseiro
Chris A. Caseiro



PTO/SB/17p (11-04)

Approved for use through 07/31/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**PETITION FEE
Under 37 CFR 1.17(f), (g) & (h)
TRANSMITTAL**

(Fees are subject to annual revision)

Send completed form to: Commissioner for Patents
P.O. Box 1450, Alexandria, VA 22313-1450

Application Number	10/664,376
Filing Date	Sept. 17, 2003
First Named Inventor	Valkko P. Allen II
Art Unit	1724
Examiner Name	Fred G. Prince
Attorney Docket Number	VOR-002

Enclosed is a petition filed under 37 CFR 1.313(c)2 that requires a processing fee (37 CFR 1.17(f), (g), or (h)). Payment of \$130.00 is enclosed.

This form should be included with the above-mentioned petition and faxed or mailed to the Office using the appropriate Mail Stop (e.g., Mail Stop Petition), if applicable. For transmittal of processing fees under 37 CFR 1.17(i), see form PTO/SB/17.

Payment of Fees (small entity amounts are NOT available for the petition fees)

- The Commissioner is hereby authorized to charge the following fees to Deposit Account No. _____:
 petition fee under 37 CFR 1.17(f), (g) or (h) any deficiency of fees and credit of any overpayments
Enclose a duplicative copy of this form for fee processing.
 Check in the amount of \$920, including \$130 is enclosed.
 Payment by credit card (Form PTO-2038 or equivalent enclosed). Do not provide credit card information on this form.

Petition Fees under 37 CFR 1.17(f): Fee \$400 Fee Code 1462

For petitions filed under:

- § 1.53(e) - to accord a filing date.
§ 1.57(a) - to accord a filing date.
§ 1.182 - for decision on a question not specifically provided for.
§ 1.183 - to suspend the rules.
§ 1.378(e) - for reconsideration of decision on petition refusing to accept delayed payment of maintenance fee in an expired patent.
§ 1.741(b) - to accord a filing date to an application under § 1.740 for extension of a patent term.

Petition Fees under 37 CFR 1.17(g): Fee \$200 Fee Code 1463

For petitions filed under:

- § 1.12 - for access to an assignment record.
§ 1.14 - for access to an application.
§ 1.47 - for filing by other than all the inventors or a person not the inventor.
§ 1.59 - for expungement of information.
§ 1.103(a) - to suspend action in an application.
§ 1.136(b) - for review of a request for extension of time when the provisions of section 1.136(a) are not available.
§ 1.295 - for review of refusal to publish a statutory invention registration.
§ 1.296 - to withdraw a request for publication of a statutory invention registration filed on or after the date the notice of intent to publish issued.
§ 1.377 - for review of decision refusing to accept and record payment of a maintenance fee filed prior to expiration of a patent.
§ 1.550(c) - for patent owner requests for extension of time in ex parte reexamination proceedings.
§ 1.956 - for patent owner requests for extension of time in inter partes reexamination proceedings.
§ 5.12 - for expedited handling of a foreign filing license.
§ 5.15 - for changing the scope of a license.
§ 5.25 - for retroactive license.

Petition Fees under 37 CFR 1.17(h): Fee \$130 Fee Code 1464

For petitions filed under:

- § 1.19(g) - to request documents in a form other than that provided in this part.
§ 1.84 - for accepting color drawings or photographs.
§ 1.91 - for entry of a model or exhibit.
§ 1.102(d) - to make an application special.
§ 1.138(c) - to expressly abandon an application to avoid publication.
§ 1.313 - to withdraw an application from issue. ←
§ 1.314 - to defer issuance of a patent.

Chris A. Caseiro

Signature

Chris A. Caseiro

Typed or printed name

December 21, 2004

Date

34,304

Registration No., if applicable

This collection of information is required by 37 CFR 1.17. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 5 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.